

THE SCHER LAW FIRM, LLP

600 OLD COUNTRY ROAD, SUITE 440
GARDEN CITY, NY 11530

MARTIN H. SCHER*

JONATHAN L. SCHER**

AUSTIN R. GRAFF*

TEL: 516-746-5040

FAX: 516-746-5043

W. SCOTT KERSHAW
COUNSEL

MICHAEL SCHILLINGER
COUNSEL

ROLAND P. BRINT
COUNSEL

ADAM GANG
COUNSEL

ROBERT S. NAYBERG
(1959-2012)

* Also Admitted in District of Columbia

** Also Admitted in New Jersey

February 26, 2024

BY ECF

Hon. Carol Bagely Amon, U.S.D.J
U.S. District Court, Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Masciarelli v. New York City Department of Education
E.D.N.Y. Docket No. 22-cv-07553-CBA-SJB

Dear Judge Amon:

This law firm represents the Plaintiff in the above-referenced Action.

On February 5, 2024, the Court issued an electronic Order directing the Plaintiff to either obtain written consent to amend the Complaint from the Defendant or file a Motion seeking leave of the Court to amend the Complaint.

On February 23, 2024 in an email from Andrea M. Martin, Assistant Corporation Counsel, the Defendant consented to Plaintiff's Amended Complaint. A copy of the email is attached for the Court's review.

Accordingly, the Defendants seek formal permission to file the Amended Complaint.

Thank you for your courtesies.

Respectfully submitted,

THE SCHER LAW FIRM, LLP

Austin Graff

ARG:ms

cc: Counsel of Record (by ECF)

Austin Graff

From: Martin, Andrea (LAW) <andmarti@law.nyc.gov>
Sent: Friday, February 23, 2024 5:34 PM
To: Austin Graff
Subject: RE: [EXTERNAL] Masciarelli v. NYCDOE, EDNY Docket No. 22-cv-7553

Hi Austin,

Confirming receipt. A few updates for you below.

- 1) We will consent to Plaintiff's amended complaint.
- 2) I spoke with our e-discovery counsel. Our office has an updated version of the confidentiality agreement that we believe addresses your concerns noted in the prior draft. The document is currently being reviewed internally and I will get it to you early next week for review.
- 3) I understand that our responses to Plaintiff's second set of demands were due today. Being that I was OOO for a majority of this month, can you please provide a one-week extension to Friday, March 1?

Thanks, and have a good weekend,
Andrea

Andrea M. Martin
Assistant Corporation Counsel
Labor & Employment Law Division
New York City Law Department
100 Church Street, Room 2-103
New York, NY 10007
P: (212) 356-3549



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From: Austin Graff <AGraff@scherlawfirm.com>
Sent: Friday, February 23, 2024 12:24 PM
To: Martin, Andrea (LAW) <andmarti@law.nyc.gov>
Cc: Austin Graff <AGraff@scherlawfirm.com>
Subject: [EXTERNAL] Masciarelli v. NYCDOE, EDNY Docket No. 22-cv-7553

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Andrea:

As discussed, attached are the Plaintiff's responses to the Second Demand for Documents, along with the documents responsive.

Please confirm receipt.

PLEASE TAKE NOTICE OF OUR NEW ADDRESS

Austin Graff, Esq.
The Scher Law Firm, LLP
600 Old Country Road, Suite 440
Garden City, New York 11530
T: (516) 746-5040

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